

## **REMARKS**

Applicants respectfully request reconsideration of the present application in view of this response. Claims 1 and 5 have been amended, claims 14 and 15 have been added, and claims 1-15 are currently pending in connection with the present application. Claims 1 and 5 are independent claims.

## **DRAWINGS**

Applicants acknowledge and thank the Examiner for the indication of acceptance of the drawings filed on October 27, 2003 as shown on the Office Action Summary dated October 21, 2004.

## **INFORMATION DISCLOSURE STATEMENT**

Applicants acknowledge and thank the Examiner for the consideration of all of the references cited in the Information Disclosure Statement filed January 28, 2004, as indicated by the Examiner's initials and signature on the form PTO-1449.

## **SPECIFICATION AMENDMENTS**

Applicants have amended the specification by way of this response. Further, Applicants respectfully assert that no new matter has been added by way of these amendments to the specification.

## **PRIOR ART REJECTIONS**

### **Rejections under 35 U.S.C. § 102(b)**

#### **Claims 1-4**

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Ye et al. (U.S. Patent No. 5,798,947, hereinafter referred to as "Ye"). Applicants respectfully traverse this rejection, especially in view of claim 1 as now amended.

Ye is discussed in the background section of the present specification (see pp. 4, ll. 7-19 of the specification), and is directed to a method for measuring marks on a plate 15 at specific set positions relative to an original reference position. More specifically, the plate 15 is initially positioned at a set central origin reference location on the stage, or in other words, such that the x-axis and the y-axis of a grid of marks on the plate 15 correspond with the x-axis and y-axis of the stage (see col. 8, ll. 21-24). Subsequently, the plate 15 is positioned at a second set position by rotating the plate 15  $\pm 90$  degrees, or translating the plate 15 one sample interval, relative to the original reference location (see col. 8, ll. 34-49).

However, Ye does not teach or suggest at least placing the plate in at least three "arbitrary" positions, as now set forth in claim 1. Instead, Ye is very precise in the translation and/or rotation of the plate 15 between the set positions. As discussed above, the plate 15 is positioned at set positions, that is, the plate 15 is positioned at an original reference position and at  $\pm 90$  degrees rotation relative to the original reference position). Accordingly, the plate 15 (of Ye) is placed at set or precise positions and not at "arbitrary positions", as now set forth in claim 1.

Accordingly, Applicants respectfully assert that Ye fails to teach or suggest all of the limitations as set forth in claim 1, especially in view of claim 1 as now amended.

Further, with regard to dependent claims 2-4, Applicants respectfully assert that claims 2-4 are also allowable for at least the reasons as discussed above with respect to independent claim 1. As such, Applicants respectfully request that this rejection be withdrawn.

### **Claims 5-13**

Claims 5-13 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Rinn (U.S. Patent No. 6,317,991). Applicants respectfully traverse this rejection, especially in view of claim 5 as now amended.

The Examiner indicates in the Office Action (pp.3) that col. 4, ll. 61 – col. 5, ll. 35) of Rinn allegedly teaches step (b) of claim 5. However, Applicants respectfully disagree with the Examiner's conclusion, especially in view of claim 5 as now amended.

Rinn is directed to a method for determining a correction function. Initially, a first measurement is taken at an initial orientation (arguably a first measurement view) of the reference object 1 (arguably a plate) (See col. 4, ll. 65-67). Subsequently, a second measurement is taken at a calibration orientation (arguably a second measurement view), which must be produced by a 90 degree rotation of the reference object 1 relative to the initial orientation. A third measurement is taken at a second calibration orientation (arguably a third measurement view), which must be produced by a 180 degree rotation of the reference object 1 relative to the initial orientation. Subsequently, the same procedure to that as described above is performed with a second reference object (2) (arguably a second plate) (column 4, line 61 - column 6, line 6).

However, Rinn does not teach or suggest at least obtaining measurement views using "arbitrary translation and/or rotation of the plate," as now set forth in claim 5. Instead, the measurements (of Rinn) are obtained using precise or set rotations. As discussed above, Rinn obtains measurements (which may arguably be measurement views) of the reference objects 1 and 2 at an initial position (initial orientation), and 2 subsequent precise or set positions (calibration orientations) produced by rotating the reference objects 1 and 2 by 90 degrees and 180 degrees, respectively. Accordingly, the measurements (of Rinn) are obtained using precise or set rotations (i.e., 90 and 180 degrees) of the reference objects (arguably a plate), and not "arbitrary translation and/or rotation" of the plate, as now set forth in claim 5.

Accordingly, Applicants respectfully assert that Rinn fails to teach or suggest all of the limitations as set forth in claim 5, especially in view of claim 5 as now amended. Further, with respect to claims 6-13, Applicants respectfully assert that claims 6-13 are also allowable for at least the reasons as discussed above with respect to independent claim 5.

As such, Applicants respectfully request that this rejection be withdrawn.

#### ***NEW CLAIMS***

Applicants have added new dependent claims 14 and 15 by the present Amendment, which are also believed to be patentable over the prior art. Although somewhat similar arguments to those emphasized above with regard to claims 1-13 may apply, claims 14 and 15 should be governed solely by the limitations present therein and should not be limited in any way by limitations or arguments set forth in other independent claims. Accordingly, allowance of new claims 14 and 15 are respectfully requested.

### **CONCLUSION**

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

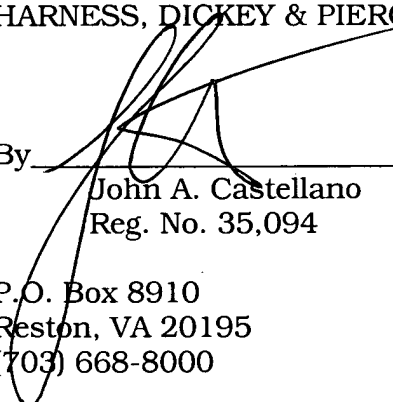
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, PLC

By

  
John A. Castellano  
Reg. No. 35,094

JAC/AMW:jcp

P.O. Box 8910  
Reston, VA 20195  
(703) 668-8000